

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Carol S.D.<sup>1</sup>

Case No. 23-cv-1939 (DJF)

Plaintiff,

v.

**ORDER**

Martin J. O'Malley,  
*Commissioner of Social Security,*

Defendant.

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This matter is before the Court on Plaintiff Carol S.D.'s ("Plaintiff") Motion for Attorney Fees ("Motion") (ECF No. 21). Plaintiff seeks attorney's fees in the amount of \$4,919.62 pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A) ("EAJA") to be paid to her attorney directly (*see* ECF No. 21). The Government does not oppose Plaintiff's Motion or the amount requested (*see* ECF No. 25). Based on the parties' agreement, the Court grants the Motion and directs the Government to pay \$4,919.62 to Plaintiff's attorney, Edward C. Olson.

In accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010), the EAJA fees may be subject to offset to satisfy any preexisting debit that Plaintiff may owe the United States. If, after receiving the Court's EAJA fee order, the Commissioner: (1) determines that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program; and (2) agrees to waive the requirements of the Anti-Assignment Act, then the EAJA fees will be made payable to Plaintiff's attorney, **Edward C. Olson**. However, if there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and the remaining EAJA fees after offset will be paid by a check made out to

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<sup>1</sup> This District has adopted a policy of using only the first name and last initial of any nongovernmental parties in orders in Social Security matters.

Plaintiff.

Any checks issued for payment (regardless of whether the check is made out to Plaintiff or to Plaintiff's attorney) shall be delivered to Plaintiff's attorney at **Reitan Law Office, 80 S. 8th Street, Suite 900, Minneapolis, MN 55402.**

**IT IS SO ORDERED.**

Dated: December 6, 2024

*s/ Dulce J. Foster*

DULCE J. FOSTER

United States Magistrate Judge